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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,863	04/12/2001	Arun Ahuja	CITI0219-US	1395
27510	7590	09/28/2005	EXAMINER	
KILPATRICK STOCKTON LLP 607 14TH STREET, N.W. WASHINGTON, DC 20005			PATEL, ASHOKKUMAR B	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/832,863

Applicant(s)

AHUJA ET AL.

Examiner

Ashok B. Patel

Art Unit

2154

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 September 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See continuation sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____


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RP

Continuation sheet.

Claim 1:

Applicant's argument:

"Accordingly, the software 51 provides enhanced routines to subscribers only. This software does not perform the claimed functions. Rajan does not anticipate the language of independent claim 1 or claims 2- 5 which are dependent thereon."

Examiner's response:

As Applicant indicated " the software 51 provides enhanced routines to subscribers only.", that is exactly what Rajan is teaching in col. 5, line 6-14. Thus Rajan is "determining a status of the customer as a member customer or a non-member customer of an institution providing the notification system.", and thus as stated in col. 3, line 44-53, Rajan is "prompting the customer to select at least one requested event wherein a member customer is provided with more event choices than a non-member customer."

Claim 7:

Applicant's argument:

"As discussed above with respect to independent claim 1, Rajan makes no distinction between member and non-member subscribers. Accordingly, Rajan does not disclose means for determining a subscriber's status as member or non-member nor does Rajan disclose means prompting a subscriber to select at least on requested event wherein member and non-member subscribers are presented with different event options depending on their status."

Examiner's response:

As Applicant indicated " the software 51 provides enhanced routines to subscribers only.", that is exactly what Rajan is teaching in col. 5, line 6-14. Thus Rajan discloses means for determining a subscriber's status as member or non-member and means for prompting a subscriber to select at least on requested event wherein member and non-member subscribers are presented with different event options depending on their status.

Claim 8:

Applicant's argument:

"This statement in Rajan merely teaches that information is collected from external sources, not internal sources."

Examiner's response:

Claim 8 recites "A system for notifying a customer" which is taught by Rajan as stated above in the response for claim 1, and please refer to Fig. 4, col. 14, line 19-54 for "a database containing financial information wherein the financial information is collected from at least one internal source and at least one external source." in conjunction with col. 15, line 62-col. 16, line 7 for generating notification report for selected period of time.

Claims 12, 15 and 16:

Applicant's argument:

"With respect to dependent claim 12, Rajan does not describe an internal data source and thus does not describe an internal data source that is the Financial institution hosting the subscription service.

"With respect to dependent claims 15 and 16, as discussed previously, Rajan makes no distinction between member and non-member subscribers."

Examiner's response:

Rajan at col.4, lines 35-42, Fig.1, teaches "FIG. 1 is a basic overview of a communication network 9 wherein a data aggregation and tunneling service is hosted and operated according to an embodiment of the present invention. Communication network 9 comprises a data packet network 11, which is the well known Internet in this example, an Internet Service Provider (ISP) 15 (with repository 31 as being the internal source of information), and at least one exemplary wireless data network 13." And by disclosing its use as stated in col.13, lines 44-63, it impliedly teaches its application to a financial institution. The implied teachings taught by the reference relevant of the claimed invention are of a paramount importance regardless of the location of the system.

Refer to response for claim 1 for responses with respect to claims 15 and 16.

For responses to Applicant's argument pertaining to claims 19 and 23, please refer to claims 1- 16 above.